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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Jose Alberto Espindola Arizmendi,

10 Petitioner,

11 v.

12 John F Kelly, et al.,

13 Respondents.
14

No. CV-17-04791-PHX-JAT

ORDER

15 Pending before this Court is the Report and Recommendation (R&R) from the
16 Magistrate Judge recommending that the petition in this case be denied and dismissed
17 with prejudice. (Doc. 15). Neither party has filed objections to the R&R.

18 As a result of there being no objections, the Court hereby accepts the R&R. *See*
19 *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (finding that district courts are not required to
20 conduct “any review at all . . . of any issue that is not the subject of an objection”);
21 *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*) (“statute
22 makes it clear that the district judge must review the magistrate judge’s findings and
23 recommendations de novo *if objection is made*, but not otherwise” (emphasis in
24 original)); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003).

25 Therefore,


26 **IT IS ORDERED** that the R&R (Doc. 15) is accepted and adopted.

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1 **IT IS FURTHER ORDERED** that the petition is denied and dismissed, with
2 prejudice, and the Clerk of the Court shall enter judgment accordingly.

3 Dated this 15th day of August, 2018.

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8 James A. Teilborg
9 Senior United States District Judge
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